

EXHIBIT 24

Deposition of Jeremy Lappen Excerpts

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

Cung Le, Nathan Quarry, Jon)
Fitch, on behalf of)
themselves and all others)
similarly situated,)
)
Plaintiffs,)
)
v.) Lead Case No.
) 2:15-cv-01045-RFB-(PAL)
Zuffa, LLC, d/b/a Ultimate)
Fighting Championship and)
UFC,)
)
Defendant.)
_____)

VIDEOTAPED DEPOSITION OF JEREMY LAPPEN

LOS ANGELES, CALIFORNIA

February 28, 2017

11:13 a.m.

Reported By:
Tracy Mafi, CSR No. 11850
Job No. 48785

<p style="text-align: right;">134</p> <p>1 think it's possible that the replay on Spike would</p> <p>2 have drawn viewers away from the EliteXC event?</p> <p>3 A I don't know.</p> <p>4 Q Okay. On the top of the second column on</p> <p>5 the same page, the very first sentence at the top</p> <p>6 there, very first full sentence reads:</p> <p>7 "Jeremy Lappen seemed to be the</p> <p>8 company's key front figure after the show</p> <p>9 running the press conference and talking</p> <p>10 about how he would match his champions in</p> <p>11 the various weight classes against</p> <p>12 champions from any other organization."</p> <p>13 Did you ever get the opportunity to match</p> <p>14 your champions against champions from other</p> <p>15 organizations?</p> <p>16 A I don't think so. I can't remember if we</p> <p>17 fought Strike Force Champions or not. We may have.</p> <p>18 When Affliction -- I don't think Andrei Arlovski was</p> <p>19 their champion when he came and fought on one of our</p> <p>20 cards. Maybe like a Cage Rage champion.</p> <p>21 Q As a promoter, is that something you would</p> <p>22 have liked to have had the opportunity to do?</p> <p>23 A Sure, if it made sense, yeah.</p> <p>24 Q Do you think it would have been to the</p> <p>25 benefit of the fighters to have a chance to fight</p>	<p style="text-align: right;">136</p> <p>1 that was the hit but two key personalities</p> <p>2 who each drew one million new viewers for</p> <p>3 their matches to carry them."</p> <p>4 Do you agree with the statement that --</p> <p>5 that it's not MMA in its prime time that was the</p> <p>6 hit, but the key personalities that each drew one</p> <p>7 million new viewers?</p> <p>8 A Yes.</p> <p>9 Q Are fighters with notoriety like that</p> <p>10 essential to building a successful MMA promotion?</p> <p>11 MR. McSWEENEY: Objection to form.</p> <p>12 THE WITNESS: Yeah, the fighters are what</p> <p>13 draws.</p> <p>14 BY MR. RAYHILL:</p> <p>15 Q Did EliteXC have difficulty attracting top</p> <p>16 fighters that could draw viewers on the same level</p> <p>17 as Kimbo Slice?</p> <p>18 A Kimbo Slice was an EliteXC fighter.</p> <p>19 Q Yes, I understand that.</p> <p>20 A Okay.</p> <p>21 Q But so --</p> <p>22 A Is it hard to find fighters of his caliber,</p> <p>23 his fame --</p> <p>24 Q Yes.</p> <p>25 A -- ability to draw a crowd?</p>
<p style="text-align: right;">135</p> <p>1 champions from other promotions?</p> <p>2 MR. McSWEENEY: Objection; calls for</p> <p>3 speculation.</p> <p>4 THE WITNESS: I think it just depends on</p> <p>5 the situation.</p> <p>6 BY MR. RAYHILL:</p> <p>7 Q Fourth full paragraph in that second column</p> <p>8 beginning with words "Shaw understood..."</p> <p>9 First of all, do you know who he's</p> <p>10 referring to when he says Shaw?</p> <p>11 A That is Gary Shaw.</p> <p>12 Q And who was Gary Shaw?</p> <p>13 A He was the president of EliteXC in the</p> <p>14 beginning.</p> <p>15 Q Okay. And it says:</p> <p>16 "Shaw understood that from the start"</p> <p>17 -- "Shaw understood that from the start</p> <p>18 about the star power issue when Slice</p> <p>19 wouldn't be ready for the show and was</p> <p>20 against running the date."</p> <p>21 Can you tell me who Slice is?</p> <p>22 A Kimbo Slice.</p> <p>23 Q "CBS felt they needed to capitalize on</p> <p>24 the momentum built. CBS didn't understand</p> <p>25 that it was not MMA in prime time on CBS</p>	<p style="text-align: right;">137</p> <p>1 Q Yes.</p> <p>2 A Yes, definitely.</p> <p>3 Q And do you have a sense of why that was?</p> <p>4 A It's trying to find a star. I mean, it's</p> <p>5 hard to find a star. They have a certain X factor.</p> <p>6 That's what the business is about, I think. Most</p> <p>7 promotions have difficulty finding somebody. And he</p> <p>8 still holds the record for the most watched fight in</p> <p>9 the U.S., mixed martial arts fight.</p> <p>10 Q The contracts that you negotiated for your</p> <p>11 fighters with Zuffa, were those contracts all</p> <p>12 exclusive contracts, by which I mean were fighters</p> <p>13 prevented from fighting for another promoter while</p> <p>14 they were under contract with Zuffa?</p> <p>15 A Yes.</p> <p>16 MR. McSWEENEY: Objection to form.</p> <p>17 BY MR. RAYHILL:</p> <p>18 Q And based on your experience running -- I</p> <p>19 believe you said you were the president for fight</p> <p>20 operations for EliteXC?</p> <p>21 A Yes.</p> <p>22 Q Okay. So based on your experience as</p> <p>23 president of fight operations for EliteXC, did the</p> <p>24 fact that Zuffa signed its athletes to exclusive</p> <p>25 contracts affect EliteXC's ability to attract</p>

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1 fighters with that X factor that you were referring
2 to?

3 MR. McSWEENEY: Objection; calls for
4 speculation.

5 THE WITNESS: Well, assuming that UFC had
6 people who would draw an audience that was under
7 exclusive contract and we couldn't sign them, then
8 yes, that would affect us.

9 BY MR. RAYHILL:

10 Q So were you familiar with many of the
11 fighters who fought for UFC at that time?

12 A Yes.

13 Q And taking Mr. Couture as an example, would
14 you say that Mr. Couture is a fighter with the X
15 factor that you referred to?

16 A Yes.

17 Q And could a promotion -- when you ran
18 EliteXC, were you able to sign fighters of
19 Mr. Couture's caliber?

20 A Well, I wasn't able to sign a fighter if he
21 was under contract with UFC, I couldn't sign them.
22 But I signed many fighters that were very high-level
23 fighters.

24 Q As high level as Mr. Couture, would you
25 say?

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1 A It's debatable.

2 Q Okay. I'm finished with that document.
3 (Whereupon Plaintiff Exhibit 207 was
4 marked for identification by the court
5 reporter and is attached hereto.)

6 BY MR. RAYHILL:

7 Q So you've been handed what's been marked as
8 Exhibit 207. This is an article that I downloaded
9 from the Internet from the Web address that's listed
10 at the top of the article.

11 It was on a website called Fightline.com,
12 and it's an article written by Ryan Clark on August
13 30th, 2006, and the name of the file -- the article
14 is "Fighter Pay & Other Figures From UFC 62 'Liddell
15 versus Sobral.'"

16 Okay. And turning to page -- the second
17 page of the document, the fourth paragraph from the
18 bottom beginning with your name, it says:

19 "Jeremy Lappen, chief executive officer
20 of the WFA, was escorted out of the
21 building at UFC 61 -- UFC 61: Bitter
22 Rivals, despite having a ticket given to
23 him by Ken Shamrock, whom he used to manage
24 and who was fighting."

25 Quote, "I think they're nervous. They

36 (Pages 138 to 141)